AMENDMENTS TO THE CLAIMS:

Please amend the claims as follows:

1. (Currently amended) A light emitting apparatus, comprising:

a light emitting element with an emission wavelength in ~~the~~ a range of 360 to 550 nm; and

a rare-earth element doped oxide nitride ~~phosphor;~~ phosphor,

wherein a part of light radiated from the light emitting element is wavelength-converted by the phosphor.

2. (Currently amended) The light emitting apparatus according to claim 1, ~~wherein;~~ wherein:

the emission wavelength is in the range of 450 to 550 ~~nm,~~ nm; and

the light emitting apparatus radiates white light generated by a mixture of the wavelength-converted light and ~~the~~ an other part of light radiated from the light emitting element.

3. (Currently amended) The light emitting apparatus according to claim 1, ~~wherein;~~ wherein:

the oxide nitride phosphor ~~is of~~ comprises an oxide nitride that contains α-sialon as a matrix material.

4. (Currently amended) The light emitting apparatus according to claim 1, ~~wherein;~~ wherein:

the phosphor ~~is in the form of~~ comprises a powder or particles and is contained in a light transmitting material.

5. (Currently amended) The light emitting apparatus according to claim 1, ~~wherein;~~ wherein:

the light emitting element ~~is~~ comprises a III group nitride system compound semiconductor emitting element.

6. (Currently amended) The light emitting apparatus according to claim 1, ~~wherein;~~ wherein:

the phosphor is represented by a general formula:

$Me_XSi_{12-(m+n)}Al_{(m+n)}O_nN_{16-n}:Re1_yRe2_z$,

part or all of metal (Me),where Me is one or more of Li, Ca, Mg, Y and lanthanide metals except for La and Ce, to be dissolved into α-sialon being replaced by lanthanide metal (Re1), where Re1 ~~is~~ comprises one or more of Ce, Pr, Eu, Tb, Yb and Er, as a luminescence center, or replaced by lanthanide metal (Re1) and lanthanide metal (Re2), where Re2 ~~is~~ comprises Dy, a co-activator.

7. (Currently amended) The light emitting apparatus according to claim 6, ~~wherein;~~ wherein:

the phosphor satisfies, when the metal (Me) is bivalent, $0.6 < m < 3.0$ and $0 \leq n < 1.5$ in the general formula.

8. (Currently amended) The light emitting apparatus according to claim 6, ~~wherein;~~ wherein:

the phosphor satisfies, when the metal (Me) is trivalent, $0.9 < m < 4.5$ and $0 \leq n < 1.5$ in the general formula.

9. (Currently amended) The light emitting apparatus according to claim 6, ~~wherein;~~wherein:

the phosphor ~~is~~ comprises $Me_XSi_{9.75}Al_{2.25}O_{0.75}N_{15.25}$:$Re1_yRe2_z$ to satisfy m = 1.5 and n = 0.75 in the general formula, where $0.3 < x + y < 0.75$ and $0.01 < y + z < 0.7$, where $y > 0.01$, and $0.0 \leq z < 0.1$, are satisfied.

10. (Currently amended) The light emitting apparatus according to claim 6, ~~wherein;~~ wherein:

the phosphor ~~is~~ comprises $Me_XSi_{9.75}Al_{2.25}O_{0.75}N_{15.25}$:$Re1_yRe2_z$ to satisfy m = 1.5 and n = 0.75 in the general formula, where $0.3 < x + y + z < 1.5$, $0.01 < y < 0.7$ and $0.0 \leq z < 0.1$ are satisfied.

11. (Currently amended) The light emitting apparatus according to claim 6, ~~wherein;~~ wherein:

the metal (Me) ~~is~~ comprises calcium (Ca).

12. (Currently amended) The light emitting apparatus according to claim 1, ~~wherein;~~ wherein:

the phosphor ~~is~~ comprises a sialon system phosphor powder that is composed of: α-sialon of 40 weight% or more and 90 weight% or less, the α-sialon being structured such that a Ca site of Ca-α-sialon represented by: $(Cax, My)(Si, Al)_{12}(O, N)_{16}$ is partially replaced by metal ~~(M);~~ (M), β-sialon of 5 weight% or more and 40 weight% or ~~less;~~ less, and unreacted silicon nitride of 5 weight% or more and 30 weight% or less, where M ~~is~~ comprises metal that is one or more selected from Ce, Pr, Eu, Tb, Yb and Er and

$0.05 < (x+y) < 0.3$, $0.02 < x < 0.27$ and $0.03 < y < 0.3$.

13. (Currently amended) The light emitting apparatus according to claim 12, ~~wherein;~~ wherein:

the entire phosphor powder has a chemical composition that is in the range of three composition lines of Si_3N_4-a($M_2O_3 \cdot 9AlN$), Si_3N_4-b($CaO \cdot 3AlN$) and Si_3N_4-c($AlN \cdot Al_2O_3$), where $4 \times 10^{-3} < a < 4 \times 10^{-2}$, $8 \times 10^{-3} < b < 8 \times 10^{-2}$ and $10^{-2} < c < 8 \times 10^{-1}$ are satisfied.

14. (Currently amended) A light emitting apparatus, comprising:

a light emitting element with an emission wavelength in the range of 360 to 550 nm; and

a cerium ion doped lanthanum silicon nitride ~~phosphor;~~ phosphor,

wherein a part of light radiated from the light emitting element is wavelength-converted by the phosphor.

15. (Currently amended) The light emitting apparatus according to claim 14, wherein:

the phosphor is represented by:

$La_{1-x}Si_3N_5:xCe$, where doping amount x is $0 < x < 1$, and

cerium ion is doped to a lanthanum site in a solid dissolution replacement.

16. (Currently amended) The light emitting apparatus according to claim 14, wherein:

~~the~~ a doping amount x is $0.1 < x < 0.5$, and

the phosphor ~~is~~ comprises an ultraviolet ray excitation phosphor.

17. (Currently amended) The light emitting apparatus according to claim 14, wherein:

~~the~~ a doping amount x is $0.0 < x < 0.2$, and

the phosphor ~~is~~ comprises an electron beam excitation phosphor.

18. (Original) The light emitting apparatus according to claim 14, wherein:

the phosphor radiates blue light.

19. (Currently amended) A light emitting method for a light emitting apparatus that comprises a light emitting element with an emission wavelength in ~~the~~ a range of 360 to 550 nm and a rare-earth element doped oxide nitride phosphor, wherein a part of light radiated from the light emitting element is wavelength-converted by the phosphor, and the light emitting apparatus radiates light generated by a mixture of wavelength-converted light and ~~the~~ an other part of light radiated from the light emitting element, comprising ~~the step of~~ :

turning on intermittently the light emitting element.

20. (Currently amended) A light emitting method for a light emitting apparatus that comprises a light emitting element with an emission wavelength in ~~the~~ a range of 360 to 550 nm and a cerium ion doped lanthanum silicon nitride phosphor, wherein a part of light radiated from the light emitting element is wavelength-converted by the phosphor, and the light

emitting apparatus radiates light generated by a mixture of wavelength-converted light and ~~the~~ an other part of light radiated from the light emitting element, comprising ~~the step of~~:

turning on intermittently the light emitting element.

21. (Currently amended) The light emitting method according to claim 19, wherein:

~~the~~ a color of the light radiated from the light emitting apparatus is adjusted by controlling ~~the~~ a turn-on time of the light emitting element.

22. (Currently amended) The light emitting method according to claim 20, wherein:

~~the~~ a color of the light radiated from the light emitting apparatus is adjusted by controlling ~~the~~ a turn-on time of the light emitting element.

23. (Original) The light emitting method according to claim 19, wherein:

the emission wavelength is in the range of 450 to 550 nm, and the light emitting apparatus radiates white light.

24. (Original) The light emitting method according to claim 20, wherein:

the emission wavelength is in the range of 450 to 550 nm, and the light emitting apparatus radiates white light.

25. (Currently amended) The light emitting apparatus according to claim 19, wherein;

the light emitting element ~~is~~ comprises a III group nitride system compound semiconductor emitting element.

26. (Currently amended) The light emitting apparatus according to claim 20, wherein;

the light emitting element ~~is~~ comprises a III group nitride system compound semiconductor emitting element.